

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:

SMILEDIRECTCLUB, INC., *et al.*

Debtors.

Chapter 7

Case No. 23-90786 (CML)

(Jointly Administered)

**DECLARATION OF MICHAEL B. SILVERSTEIN IN SUPPORT OF INTERESTED
PARTIES' EMERGENCY MOTION TO COMPEL ORRICK TO COMPLY WITH
SUBPOENA**

I, Michael B. Silverstein, declare that the following is true to the best of my knowledge, information, and belief:

1. I am an attorney at the law firm Benesch, Friedlander, Coplan & Aronoff, litigation counsel for Interested Parties David Katzman, Steven Katzman, Kyle Wailes, Richard Schnall, Susan Greenspon Rammelt, and Camelot Venture Group in the above-captioned case. I am familiar with the facts pertinent to *Interested Parties' Emergency Motion to Compel Orrick to Comply with Subpoena*.

2. Attached hereto as **Exhibit 1** is a true and correct copy of Interested Parties' subpoena to Orrick, Herrington & Sutcliffe LLP, served on January 9, 2025.

3. Attached hereto as **Exhibit 2** is a true and correct copy of Orrick, Herrington & Sutcliffe LLP's Responses and Objections to Subpoena to Testify at a Deposition in a Bankruptcy Case, served on January 15, 2025.

4. Attached hereto as **Exhibit 3** is a true and correct copy of Interested Parties' subpoena to Orrick, Herrington & Sutcliffe LLP, served on December 9, 2024.

5. Attached hereto as **Exhibit 4** is a true and correct copy of an e-mail chain regarding meeting and conferring on Interested Parties' subpoena to Orrick.

6. Attached hereto as **Exhibit 5** is a true and correct copy of an e-mail chain regarding the deposition of Jeffrey W. McKenna.

7. Attached hereto as **Exhibit 6** is a true and correct copy of an e-mail chain regarding the deposition of the Trustee in the above captioned case.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 24th day of January, 2025 in New Albany, Ohio.

/s/ Michael B. Silverstein

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Attorneys for the Interested Parties

CERTIFICATION OF SERVICE

I hereby certify that on the 24th day of January 2025, I caused a true and correct copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas on all parties receiving ECF notice.

By: /s/ Michael B. Silverstein

Dated: January 24, 2025